

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**CARPENTERS' DISTRICT COUNCIL  
OF GREATER ST. LOUIS AND  
VICINITY, et al.,**

**Plaintiffs,**

**vs.**

**OSTERHAGE CONSTRUCTION, INC.,**

**Defendant.**

**Case number 4:07cv1619 TCM**

**ORDER**

This action was referred to the undersigned Magistrate Judge in accordance with Rule 2.08(A) of the Local Rules of the Eastern District of Missouri. Pursuant to that Rule and 28 U.S.C. § 636(c), each party must execute a written consent to the undersigned's jurisdiction before the undersigned may enter a dispositive ruling.

Plaintiffs obtained service on defendant Osterhage Construction, Inc., on September 21, 2007. Defendant has not filed a responsive pleading. Consequently, Plaintiffs have moved for, and been granted, an entry of default against Defendant. Plaintiffs' have also moved for a default judgment and to compel an accounting. This motion is pending.

Clearly, Defendant is not going to consent to the undersigned ruling on the motion for a default judgment. Without this consent, the undersigned lacks jurisdiction to rule on the motion. Accordingly,

**IT IS HEREBY ORDERED** that the Clerk of the Court shall randomly reassign the instant cause of action to a United States District Judge for disposition.

/s/ Thomas C. Mummert, III  
THOMAS C. MUMMERT, III  
UNITED STATES MAGISTRATE JUDGE

Dated this 14th day of February, 2008.